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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD

Joint written statement*/submitted by Europe-Third World Centre, a non-governmental organization in general consultative status, and the American Association of Jurists, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 March 2001]

*/ This written statement is issued, unedited, as received in English, French and Spanish from the submitting non-governmental organization(s).

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The participation of transnational corporations in the development and implementation of the "Colombia Plan" and its consequences on human rights violations.

1. The Colombia Plan

Presented as a fight against drug trafficking and officially dubbed *"a plan for peace, prosperity and the strengthening of the state"*, the *Colombia Plan* is in reality a military operation whose objectives are the opposite of those publicly stated.

The plan was to all intents and purposes initiated by Washington, developed by the United Sates State Department and accepted in a bilateral agreement by President Andres Pastrana, without consulting either the public or the Colombian Congress. Indeed, the Colombian people learned of it through the press (*El Espectador*, 2 January 2000).

The aim of the plan is to secure United States hegemony, military in particular, in the region, and to allow United States transnational corporations (TNCs) to exploit the natural resources of the country without any social or environmental considerations, whilst preserving the privileges of the local oligarchy. Land control and management, oil exploration and development, gas reserves, hydroelectric projects, banana plantations, the tourist industry, Amazonian bio-diversity and huge construction projects such as the inter-oceanic canal, are examples of the hidden agenda of the Colombia Plan[1].

This plan is being implemented with total contempt for the civil, political, economic, social and cultural rights of the peoples of Colombia, who are its primary victims, as shown by the massive displacements of population. In fact, this displacement reveals one of the plan's most cynical aspects. Land emptied of its inhabitants is easier to work with intensive agriculture and to develop for oil pumping and mineral mining. Far from being one of the consequences of this war, population displacement is one of its objectives. In this respect, it is telling that 80% of international aid for this plan is allocated to its military aspect and only 4.8% to the consequences of the population displacement that it entails[2].

The plan will cost US$ 7.328 million. The contribution of the Colombian government will be US$ 3.3 million, that of the U.S. government, US$ 1.6 million. The European Union was expected to finance the rest. The European Union, however, has refused[3].

The Colombia Plan is first and foremost a military plan. The armed contingent consists of, on the one hand, the U.S., acting through the granting of public funds, as well as through the sending of materials, equipment and consultants, and, on the other hand, the Colombian army, allied with the paramilitaries and supported both by the local oligarchy and by the major landowners. 70% of the crimes committed in the country are linked to the paramilitary groups: *"The High Commissioner notes that most violations of the right to life have been attributed to paramilitary groups sometimes acting in conjunction with, or with the acquiescence of, members of the armed forces or police*[4]*."*

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[1] During the 51st session of the Sub-Commission for the Promotion and the Protection of Human Rights and the 56th session of the Commission on Human Rights, the CETIM made oral declarations denouncing crimes committed against the U'wa people who were fighting against the Oxydental Petroleum and the dreadful effects of the Urra I dam on the Embera Katio people, the farmers in the region and the fishermen of Lower Sinu.

[2] Boletin de la consultoria para los derechos humanos y el desplazamiento, Bogotá, 7 September 2000.

[3] European Parliament Resolution B5-0087/2001.

[4] Report of the United Nations High Commissioner for Human Rights (E/CN.4/1998/16).

The real objectives of the Colombia Plan

Despite its promising name, the Colombia Plan does not encourage peace or prosperity much less the strengthening of the state. In reality, the aims pursued, from conception to implementation, are the following:

- to reinforce, equip and train the Colombian army in order to fight the guerrillas, particularly the Revolutionary Armed Forces (FARC), then to regain control of the areas the guerrillas occupy;
- to fumigate the coca crops with chemical and biological sprays;
- to repress the social activist groups (small farmers, indigenous people, fishermen, trade unionists, etc.);
- to insure United States hegemony in this area[5]
- to secure United States control over Colombian oil reserves in a geopolitical context influenced by the stand of Venezuela and Ecuador on this subject;
- to allow United States transnational corporations to exploit the natural resources of the country without any social or environmental considerations;
- to accelerate the process of taking over the land while maintaining the long-term privileges of the local oligarchy[6].

The social and environmental consequences of the Colombia Plan

The supporters of this plan claim that they are acting for the well-being of Colombia and to create a better future for the country. However, the facts tell a very different story and demonstrate that the consequences will be serious and far-reaching:

- owing to its military character, it worsens the violence that is already consuming this country, encouraging acts of violence perpetrated upon the civil population and, as a consequence, accentuating population displacement[7];
- it threatens to spread the conflict throughout the whole region;
- it offers substantial support to the paramilitary forces, whose collusion with the national army has been proven, thus reassuring the impunity they enjoy;
- it sabotages the peace negotiations because it supports the paramilitary who are a real obstacle to the success of such negotiations;
- it blames drugs for the conflict, whereas these illegal crops are not its cause but the result of the land-holding concentration and the deterioration of the economic and social conditions of the small farmers, the coca plant having become their only source of revenue;
- the already initiated biological and chemical spraying are an extreme threat to the health of the population (destruction of local staple crops, water contamination, widespread appearance of ulcers, eye irritations, and other illnesses);
- the spraying of pesticides has already had a considerable effect, and its long term consequences on the environment are not known, putting at risk one of the most richly biodiverse regions on the planet[8];

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[5] From this point of view, the Colombia Plan is a major breakthrough for U.S. domination in Latin America implemented in a series of diverse strategies including technical aid from the CIA, coup d'etats (Chili 1973, Guatemala 1954, Haiti 1991, etc.…), military invasion (Panama) army support of subversive movements (Nicaragua), military bases (Porto Rico: Iles de Vieques, Equator: Base de Manta) and embargo (Cuba).

[6] The local oligarchy represents less than 3% of the population and owns almost 70% of the land. Todrigo Acosta "The social battle in the difficult Colombian situation", in FMI. *Les Peuples entrent en resistance*, CETIM/ CADTM/ SYLLEPSE, 2000, p. 112.

[7] Ecuador, Venezuela and Panama anticipate a massive influx of refugees on their territory and the HCR has recently opened co-ordination offices in Ecuador and Panama. The HCR, already present in Bogotá, has opened two offices in Apartado and Barrancabermeja, and its budget has increased from US$ 1.8 million this year to US$ 4 million in 2001. HCR, *Refugees*, vol. 2, no. 119, 2000.

[8] The Colombia Plan concerns the whole of humanity when planning chemical and biological poisoning and the destruction of parts of the Amazon. If, as many contend, this area is the lungs of the world, then it does not belong to the United States.

- the farmers who flee these contaminated zones are settling new land by clearing it in the Amazon forest, thus unwittingly taking part in its progressive destruction.

The position of the European Union

The Colombia Plan does not take into account the economic, social and political reasons that have led the country to this situation. This is most particularly what the European Union criticises, while opposing this military solution and proposing the following;

- a stronger support of economic and institutional co-operation;
- the resumption of negotiations between the FARC and the government;
- the opening of multilateral negotiations involving all people concerned from Colombian society;
- the encouragement of real land reform;
- promoting the re-establishment of economic, social and political conditions allowing the full enjoyment of human rights for all;
- the shared responsibility of both the consumer and the producer countries for drug trafficking must be taken into account, and strategies aiming at fighting money-laundering must be undertaken.

2. The Colombia Plan: a war for the private interest of mostly American transnational companies

The Colombia Plan, a war for the land, the raw materials and the resources of the country

It is well known that Colombia represents a major geo-strategic interest for United States military hegemony, but it also represents a colossal economic interest for United States transnational companies. Relying on the army and the local oligarchy that it supports, the Colombia Plan has an unacknowledged, although known, aim, to wit to intensively exploit the resources of the country, as evidenced by the amendments proposed by United States Senators Dewine, Grassley and Coverdell, who request that their government: "*Insist that the Colombian government complete the urgent reforms aimed at opening its economy completely to investment and international trade, particularly to the oil industry*"[9].

Taken out of their context, these words may seem commonplace, but they are full of meaning, starting with the accent put on the complete character of the expected economic opening. It is true that the transnational companies are already very present in Colombia. Might one conclude that they have the intention of taking over the whole country?

What Senators Dewine, Grassley and Coverdell are saying is a euphemism. In reality, by taking back the regions dominated by the FARC, what the Colombia Plan is proposing to the TNCs is to hand over to them an entire country in which these transnationals already have a strong presence owing to the opening up of its markets and finance and to the wave of privatisations set in motion by the I.M.F., which is putting pressure on the State to reduce its fiscal deficit and obtain foreign currencies to pay back foreign debt. TNCs possess, for example, "85% of the public electricity companies, acquired at prices reflecting gross undervaluation (51% of the Bogota energy company has been sold US$ 2.8 million, one third of its real value; of this amount, US$ 1.1 million has been de-capitalised in 1999)"[10].

These privatisations contribute to the weakening of the national economy and also lead to higher costs for the consumers. "Energy has thus became 300% more expensive since 1999; in 1998 alone the price of a local telephone call increased from 5 pesos a minute to 15 pesos[11]."

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[9] Maurice Lemoine, "Plan Colombie, passeport pour la guerre" *Le Monde diplomatique*, August 2000.

[10] Rodrigo Acosta "La Lutte sociale dans le difficile contexte colombien" in FMI : les peuples entrent en resistence CETIM CADTM SYLLEPSE, 2000 p. 113.

[11] Ibid

As for agriculture, the TNCs have benefited from OMC agreements and an opening of the borders that have devasted the country's agriculture. There have been an increase in land concentration in the hands of the TNCs and of the large landowners and an increase in the land sown to export crops, at the expense of local staple crops, – all with a view to obtaining foreign currency for paying off the debt. Self-sufficient in rice until 1990, Colombia today imports 450,000 tons of rice a year.

When Senators Dewine, Grassley and Coverdell openly speak of oil development in Colombia, they are echoing the Vice-President of the Oxydental Petroleum, a company known for the crimes it has committed against the U'wa people, who are asking that the plan be not solely limited to the Putumayo region[12], the company being ready to start its operations in the north of the country. From this it is easy to perceive the Colombia Plan as the armed intervention of capitalism.

Private interest and political responsibilities

Even in the U.S., public support the Colombia Plan has raised problems in the area of political responsibility. The United States government wants to protect itself against the possible political consequences of its involvement. Despite a consensus on the basic premises of the program, the Congress was reluctant to vote the agreement, and it was not until June 2000 that the Senate gave its consent. Both the amount of money committed and the military support were reduced. The number of American advisors in the field has been limited.

However, this does not mean that United States commitment to the Colombia Plan has been reduced. Using the practice of outsourcing, the government of the United States has subcontracted out part of the military aid to be provided. "Ex-members of the U.S. Special Forces, 'specialists' and independent experts are expected in Colombia, under private contract, to assume do the job that the United States armed forces cannot or will not undertake[13]."

Conclusion

The Colombia Plan is a war officially financed by national and international public funds. This war, however, in which the designated enemies are drug trafficking and guerrillas, is in fact a war that aims to take over the natural resources of the country. From the conception of the plan to its implementation, TNC interests have been defended and implicated. In point of fact, the Colombia Plan is a war whose human and financial costs are public, and the benefits largely private.

We are thus requesting that the responsibility of the transnational companies involved in the Colombian Plan be seriously taken into account so that the sponsors and the perpetrators of the human rights violations committed daily in Colombia do not go unpunished.

Accordingly, the CETIM and AAJ condemn the implementation of the Colombian Plan, call upon the international community to oppose it by all appropriate means so that the civil, political, economic, social and cultural rights of the Colombian people may be respected, and recommend that the Commission for Human Rights adopt a resolution along these lines.

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[12] Province situated in the south of the country.

[13] Maurice Lemoine, "Plan Colombie, passeport pour la guerre", *Le Monde diplomatique*, August 2000.